

SB 842 -- DIESEL FUEL INSPECTIONS

SPONSOR: Parson (Kelley, 127)

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Ways and Means by a vote of 10 to 1.

Currently, the Director of the Department of Revenue or his agents may conduct inspections and remove samples of diesel fuel to determine the coloration of the fuel for motor fuel tax purposes. This bill prohibits the inspection and removal from any individual who is not holding the fuel for wholesale or retail sale and who is not located at specified facilities or locations unless the department director or agent has reasonable suspicion to believe that a violation under the provisions of Chapter 142, RSMo, is being committed at a location other than those specified.

PROPONENTS: Supporters say that the bill eliminates the practice of the Department of Revenue to randomly sample diesel vehicle fuel tanks for red diesel without a reasonable suspicion of a violation. This is an invasion of privacy. The problem has been fixed but this puts it into law. A gas tank on a truck is not a storage facility.

Testifying for the bill was Representative Kelley (127) for Senator Parson.

OPPONENTS: There was no opposition voiced to the committee.